

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN THE MATTER OF:)
) Chapter 13
PATRICIA JENKINS,) Case No. 16-03277
) Judge: BAER
Debtor(s).)

NOTICE OF MOTION

To the following persons or entities who have been served via electronic mail:

U.S. Bankruptcy Trustee: USTPRegion11.ES.ECF@usdoj.gov
Glenn Stearns, Chapter 13 Trustee: mcguckin_m@lisle.com

To the following persons or entities who have been served via U.S. Mail:

See attached list

Please take notice that I shall appear before the following named Bankruptcy Judge, or any other Judge presiding in his stead at Kane County Court House, 100 S. Third St., Geneva, IL 60134, and in the following courtroom (or any other place posted), and present the attached **Motion to Modify Chapter 13 Plan to Increase Plan Payment and to Defer Plan Payment Default**, at which time and place you may appear.

JUDGE: BAER
ROOM: 240
DATE: November 22, 2019
TIME: 10:00 AM

PROOF OF SERVICE

A copy of this Notice of Motion and attachments were deposited at the United States Post Office, Wheeling, Illinois, 60090, with sufficient postage prepaid, by Christine H. Clar, or served electronically by the bankruptcy court, under oath and under all penalties of perjury.

DATE OF SERVICE: November 1, 2019

/s/ Christine H. Clar
Christine H. Clar, A.R.D.C. #6202332
Attorney for the Debtor(s)

DAVID M. SIEGEL & ASSOCIATES, LLC
790 Chaddick Drive
Wheeling, IL 60090
847/520-8100

To the following persons or entities who have been served via U.S. Mail:

Patricia Jenkins
749 Westbridge Drive
Aurora, IL 60504-4316

CNAC
800 E North Ave.
Glendale Heights, IL 60139

The Illinois Tollway
P.O. Box 5544
Chicago, IL 60680

Peoples Gas
200 East Randolph St.
Chicago, IL 60601

Sprint Corp.
Attn: Bankruptcy Dept.
P.O. Box 7949
Overland Park, KS 66207-0949

City of Chicago, Dept. of Finance
Arnold Scott Harris
111 W. Jackson Blvd., Ste. 600
Chicago, IL 60604

Premier Bankcard
Jefferson Capital Systems
P.o. Box 7999
St. Cloud, MN 56302-9617

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IN THE MATTER OF:)
) Chapter 13
PATRICIA JENKINS,) Case No. 16-03277
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DEBTOR'S MOTION TO MODIFY
CHAPTER 13 PLAN TO INCREASE PLAN PAYMENT
AND TO DEFER PLAN PAYMENT DEFAULT

NOW COMES, THE DEBTOR, PATRICIA JENKINS, by and through her attorneys, DAVID M. SIEGEL AND ASSOCIATES, LLC, to present this Motion, and in support thereof states as follows:

- 1) Jurisdiction is proper and venue is fixed in this Court with respect to these parties.
- 2) On February 3, 2016, the Debtor filed a voluntary petition for relief pursuant to Chapter 13 under Title 11 USC, and the Chapter 13 plan was confirmed on April 1, 2016. That Glenn Stearns was appointed Trustee in this case.
- 3) The Debtor's Modified Chapter 13 plan provides for payments of \$345.00 monthly for an initial plan term of 36 months, with payments to the General Unsecured Creditors of 10% of their allowed claims.
- 4) The Debtor has paid \$10,408.27 into her Chapter 13 Plan.
- 5) The Debtor is behind in her plan payments due to the fact that the payroll deductions stopped coming out of her pay when the company she worked for was sold, and she did not realize it. She has been trying to catch up since the motion to dismiss was filed, but cannot do so.
- 6) The Debtor wishes to increase the monthly plan payment by \$65.00, to \$410.00 so that the plan will remain feasible.
- 7) That this plan was filed approximately 45 months ago, and Debtor wants to try to make this plan work.
- 8) The Debtor proposes to modify the plan pursuant to 11 U.S.C. §1329 to increase her plan payment so that §D.1 of the plan provides that Debtor will pay to the trustee \$410.00 monthly pursuant to the provisions of the plan, starting immediately, and to defer the anticipated plan

payment default to the end of the plan. This proposal is made in good faith and without the intent to defraud creditors.

9) Deferring the plan payment default will not cause the confirmed Chapter 13 plan to run longer than 60 months.

WHEREFORE, the Debtor, PATRICIA JENKINS, prays that this Honorable Court enter an Order to Modify the Chapter 13 Plan, and for other such relief as the Court deems fair and proper.

Respectfully Submitted,

/s/ Christine H. Clar
Christine H. Clar, A.R.D.C. #6202332
Attorney for the Debtor(s)

DAVID M. SIEGEL & ASSOCIATES, LLC
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